

**IN THE UNITED STATES DISTRICT COURT FOR THE
MIDDLE DISTRICT OF ALABAMA
NORTHERN DIVISION**

UNITED STATES OF AMERICA)
)
v.) **Case No.: 2:05-cr-197-LSC**
)
JOE CARROLL ZEIGLER)

THIRD MOTION TO CONTINUE SENTENCING

COMES NOW the Defendant, **JOE CARROLL ZEIGLER**, through undersigned counsel, Donnie W. Bethel, and respectfully moves this Court for an Order continuing the sentencing hearing in this case. In support of this motion, the Defendant would show the following:

1. Sentencing in this case is scheduled for 24 days from today, at 9:30 a.m. on August 31, 2006. As of the filing of this Motion, Defendant has not received a Presentencing Investigation Report in this case.
2. Defendant's Counsel will perform military Reserve duty the week of August 7th and will be in California the week of August 14th; he will return to the Federal Defenders' Office on August 21st. He will perform another three days of military Reserve duty from August 28th through August 30th.
4. Mr. Zeigler requests that his sentencing hearing be continued so that he and his counsel will have adequate time to review the Report and raise any pertinent objections after the report is completed and prior to the sentencing hearing.
5. The United States, through Assistant United States Attorney Tommie Hardwick, does not object to Mr. Zeigler's request for a continuance.

WHEREFORE, Defendant respectfully requests that this Motion to Continue be granted.

Dated this 7th day of August, 2006.

Respectfully submitted,

s/ Donnie W. Bethel
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CERTIFICATE OF SERVICE

I hereby certify that on August 7, 2006, I electronically filed the foregoing with the Clerk of Court using the CM/ECF system which will send notification of such filing to the following:

Tommie Brown Hardwick
Assistant United States Attorney
One Court Square, Suite 201
Montgomery, Alabama 36104

Respectfully submitted,

s/ Donnie W. Bethel
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